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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,639	12/17/2001	Sang-Uuk Song	678-715 (P9743)	4279
28249	7590	08/24/2005	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			PEACHES, RANDY	
			ART UNIT	PAPER NUMBER
			2686	

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	Application No. 10/023,639	Applicant(s) SONG, SANG-UUK	
	Examiner Randy Peaches	Art Unit 2686	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 28 July 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 6 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).


4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: \_\_\_\_\_.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Attachment.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

  
**CHARLES APPIAH**  
**PRIMARY EXAMINER**

***Response to Arguments***

Applicant's arguments filed 7/28/2005 have been fully considered but they are not persuasive. The Examiner would like to further explain his position as to his interpretation of the claimed language in the instant application.

Regarding ***claim 1***, the Applicant has asserted that the cited prior art fails to clearly disclose the contextual functionality of the Applicant's claimed invention. The Examiner would like to bring to the Applicant's attention that the method in which the Examiner examines the application is to take the broadest, most reasonable, interpretation of the claimed language. Therefore, with respect to the claimed language "receiving a system parameter message including a system ID from a base station by a mobile communication terminal in an idle state," the Examiner respectfully disclosed, initially, where in column 8 lines 50-55 and column 9 lines 52-55 Bridges teaches of a Preferred System Identification List (PSL) and an Intelligent Roaming Database Downloading (IRDB). The Examiner's usage of the cited section was to particularly point out what was being compared to the Applicant's claimed language "system parameter". In addition, as cited in column 9 lines 52-54, Bridges teaches of a system identification (SID) being a part of the said PSL, which identifies the wireless carrier the mobile station should use in order to obtain services.

However, it appears to the Examiner that the Applicant's continued argument is that the information, PSL/IRDB, is not sent from a base station. As cited in the Final Office Action dated, 2/18/2005, the Examiner further explains that in column 30 lines 15-20, where Bridge et al. teaches of the said (PSL/IRDB) as being sent by the Base

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Station/Mobile Switching Center / Inter-working Function (BMI) to the said Mobile Station. Examiner concludes, based on the broadest, most reasonable interpretation that the cited prior art supports that Applicant's claimed language fully.

Regarding **claims 9 and 10**, the Examiner would like to clarify that the incorporation of Huang is not to teach of the said system parameter information; but, to merely disclose that it would be obvious to send the said system parameter information, as disclosed by Bridges et al., over a paging channel. The missing limitation, of which Huang clearly supports, is the fact that the combination of Bridges et al and Blakeney et al does not disclose receiving system parameter information over a said paging channel.

Randy Peaches

August 15, 2005